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January 31, 2023

Via ECF

The Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

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Re: *Guardian Life Insurance Company of America v. Coe, et. al*, No. 1:22-cv-08435

Dear Judge Carter,

This firm represents Defendant Rinat Lustig Zelenko, individually, as Co-Trustee of the Family Living Trust dated December 4, 2019, as amended and restated (the “Zelenko Trust”), as Trustee of the Article VI Trusts f/b/o S.Z. and L.Z. established under the Zelenko Trust, and as natural guardian of her minor children, S. Z. and L. Z. (collectively, “Defendant”) in the above-referenced matter. Please accept this letter-motion, pursuant to Rule 1.D of Your Honor’s Individual Practices, requesting an extension of time for Defendant to answer, move, or otherwise respond to the cross claim (the “Cross Claim”) filed by Cross-Plaintiffs Levi Yitzhok Zelenko, Esther Tova Zelenko, E.D.Z., N.D.Z., S.N.Y.Z., M.M.Z., Larisa Zelenko and Frank Zelenko, individually and as Trustee of the Zelenko Family Living Trust Dated 12/4/19 and Amended January 2021 (“Cross-Plaintiffs”). *See* ECF No. 34 at 8-12.

Cross-Plaintiffs filed their Cross Claim on January 12, 2023, making Defendant’s deadline to answer, move, or otherwise respond to the Cross Claim February 2, 2023. *See id.*; *see also* Fed. R. Civ. P. 12(a)(1)(B). Defendant requests a two-week extension of the deadline, through and including February 16, 2023, to answer, move, or otherwise respond to the Cross Claim.

Defendant requests this brief extension in view of other obligations undersigned counsel has in other matters and in the interest of having a sufficient amount of time to adequately prepare a response to the Cross Claim. This is Defendant’s first request for an extension to respond to the Cross Claim. Cross-Plaintiffs’ counsel has consented to this request.

Respectfully submitted,

/s/ Nathan R. Lander
Nathan R. Lander

cc: Plaintiff’s Counsel of Record (via ECF)